AMENDMENTS TO CLAIMS

Please amend claims 2-5 as follows. Please cancel Claims 7-8 without prejudice or disclaimer of the subject matter therein. Please add new claims 9-13. No new matter is involved.

1. (original) A system for establishing or specifying the online status of a user forming part of an instant messaging system comprising a plurality of clients having IM client applications of the same or different types and an IM server selectively connected to each of said clients via a computer network, the system comprising:

a user database for storing an activity status for each user of the IM system with respect to the IM server, said activity status including: (i) a time variable signifying the time of or time since the last prescribed involvement of the user with said IM server; and (ii) a probability variable signifying the likelihood of the user still being online;

monitoring means to continuously monitor user activity with said IM server and to continuously update the activity status of users stored on said database involved with said activity; and

checking means to check the activity status of each user stored on said database and adjust said probability variable in a prescribed manner having regard to said time variable.

2. (currently amended) [[A]]The system as claimed in claim 1, wherein said client types include clients connected to the computer network via: (i) a PC-based instant messaging client application program; (ii) a GSM device on a GSM network; (iii) an internet browser-based client application; or (iv) an email-based client application.

3. (currently amended) [[A]]The system as claimed in claim 1, wherein said prescribed involvement with said IM server includes: (i) one client sending a message to another; (ii) one client successfully receiving a message sent from another; (iii) one checking the activity status of another user(s); and (iv) ~~other~~ sign on activities, involving the IM server system, that can be detected by computer and electronic methods.

4. (currently amended) [[A]]The system as claimed in claim 1, wherein said computer network is the internet and/or any direct electronic link.

5. (currently amended) [[A]]The system as claimed in claim 1, wherein said client types connected to the computer network via the GSM network have SMS capability and are initially connected to the computer network via an SMSC server to control and manage said SMS therebetween, said SMSC server and said IM server being directly interconnected via said computer network, and wherein said SMSC server provides an indication to said monitoring means of the activity of targeted recipient GSM clients in response to messages sent to the SMSC server for delivery thereto by said IM server.

6. (original) A method for establishing or specifying the online status of a user forming part of an instant messaging system comprising a plurality of clients having IM applications of the same or different types, selectively interconnected to an IM server by way of a computer network, the method comprising the following steps:

storing an activity status for each user of the IM system with respect to the IM server, said activity status including: (i) a time variable signifying the time of or time since the last prescribed involvement of the user with said IM server; and (ii) a probability variable signifying the likelihood of the user still being online;

continuously monitoring user activity with said IM server continuously updating the stored activity status of users involved with said activity;

checking the stored activity status of each user; and

adjusting said probability variable in a prescribed manner having regard to said time variable.

7. (canceled)

8. (canceled)

9. (new) The system as claimed in claim 1, wherein the prescribed manner for adjusting said probability variable comprises toggling a set of status labels identifying the online status of the user as certain time threshold points are reached.

10. (new) The system as claimed in claim 9, wherein the set of status labels comprise the status labels of Online, Offline, Likely Online or Likely Offline.

11. (new) The method as claimed in claim 6, wherein checking the stored activity status

of each user comprises accessing the stored time variable at regular intervals to determine how much time has elapsed since the last activity occurred.

12. (new) The method of claim 11, wherein the prescribed manner for adjusting the probability variable comprises toggling a set of status labels identifying the online status of the user as certain time threshold points are reached.

13. (new) The method of claim 12, wherein the set of status labels comprise the status labels of Online, Offline, or Likely Online or Likely Offline.